

IFW

Docket No.: FS.20109US0A

Customer No.: 20,995



AMENDMENT / RESPONSE TRANSMITTAL

Applicants : Isao Kanno et al.
App. No. : 10/619,333
Filed : July 14, 2003
For : WATERCRAFT
PROPULSION SYSTEM AND
CONTROL METHOD OF THE
SYSTEM
Examiner : John Kwon
Art Unit : 3747

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 11, 2005

(Date)

Michael A. Guiliana, Reg. No. 42,611

Mail Stop Amendment

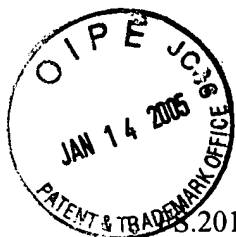
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Response to Election of Species Requirement in 2 pages.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Michael A. Guiliana
Registration No. 42,611
Attorney of Record
Customer No. 20,995
(949) 760-0404



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Isao Kanno et al.) Group Art Unit 3747
Appl. No. : 10/619,333)
Filed : July 14, 2003)
For : WATERCRAFT PROPULSION)
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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Election of Species Requirement set forth in the Office Action dated December 13, 2004, Applicants hereby elect Species II (Claims 6-13 and 29-33) for prosecution in the present application. Applicants also wish to note that Claim 1, which recites a "means plus function" recitation, can also be read on at least one embodiment on which the elected species can also be read.

The present election is being made with traverse. Applicant submits that it is well established that:

If the search and examination of an entire application can be made without **serious burden**, the examiner **must** examine it on the merits, **even though it includes claims to independent or distinct inventions**.

M.P.E.P. § 803 (emphasis added).

All of the claims are directed to a propulsion system for a watercraft or a method for operating a propulsion system for a watercraft. A proper search for art related to the elected species would necessarily include the classes and subclasses relevant to a search for the non-elected species. Thus, examination of all the claims would not present a



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substantial further "serious burden" on the Office. Applicants therefore respectfully request that the present election of species requirement be withdrawn.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 11, 2005

By: 

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